

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the matter of)	
)	
Unlicensed Operation in the TV Broadcast Bands)	ET Docket No. 04-186
)	
Additional Spectrum for Unlicensed Devices)	ET Docket No. 02-380
Below 900 MHz and in the 3 GHz Band)	
)	

ORDER GRANTING EXTENSION OF TIME

Adopted: December 21, 2004

Released: December 22, 2004

By the Chief, Office of Engineering and Technology:

Reply Comment Date: January 31, 2005

1. On May 25, 2004, the Commission released a *Notice of Proposed Rule Making (Notice)* in the above-captioned proceeding, seeking comment on proposed changes to Part 15 of the Commission rules to allow unlicensed devices to operate in the broadcast television spectrum at locations where that spectrum is not being used.¹ On September 25, 2004, the Chief of the Office of Engineering and Technology extended the comment and reply comment deadlines in this proceeding to November 30, 2004 and December 30, 2004 respectively. On December 13, 2004, the Consumer Electronics Association (CEA) filed a request for a 45 day extension of the reply comment deadline beyond December 30, 2004. For the reasons stated below, we are granting a 30 day extension of the reply comment deadline.

2. In support of its request, CEA states that an extension of time is necessary to complete equipment field tests that it is performing and to respond to other submitted comments.² It also states that it is continuing to work with other interested parties to develop consensus solutions to interference concerns.³

3. It is the policy of the Commission that extensions of time shall not be routinely granted.⁴ While we have already provided a lengthy comment period, parties are continuing to work on technical studies and to find ways to resolve the interference issues raised in the *Notice*. We believe there is considerable value in this rule making in allowing time for further technical analysis and for the various parties to develop consensus solutions to interference issues. We are not persuaded, however, that a 45 day extension is warranted to accomplish this purpose. Accordingly, we will provide 30 additional days for reply comments.

¹ See *Notice of Proposed Rule Making* in ET Docket Nos. 02-380 and 04-186, 19 FCC Rcd 10018 (2004).

² See CEA motion at 1.

³ *Id.*

⁴ See 47 C.F.R. § 1.46(a).

4. Accordingly, IT IS ORDERED that, pursuant to section 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i) and 154(j), and sections 0.31, 0.241, and 1.46 of the Commission's rules, 47 C.F.R. §§ 0.31, 0.241, and 1.46, the deadline for filing reply comments in the above-captioned proceeding is extended from December 30, 2004 to January 31, 2005.⁵

FEDERAL COMMUNICATIONS COMMISSION

Edmond J. Thomas
Chief, Office of Engineering and Technology

⁵ A 30 day extension would run until January 29, 2005. Because that date falls on a Saturday, reply comments will be due on the next business day, which is Monday, January 31, 2005. *See* 47 C.F.R. § 1.4.